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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,797	09/06/2000	Claude Meggle	15675.P321	2849

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EXAMINER	
TRUONG, THANHNGA B	
ART UNIT	**PAPER NUMBER**
2135	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/582,797	MEGGLE, CLAUDE	
	Examiner	Art Unit	
	Thanhnga Truong	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05/24/2004 (Amendment)*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-6 and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powers (US 5,655,020), and further in view of Brown et al (US 5,941,947).

a. *Referring to claims 1 and 9:*

i. Powers teaches:

(1) receiving a code **[i.e., receiving a first code comprising a plurality of characters in sequential positions identifying the authorized person (column 2, lines 44-45)];**

(2) verifying a first entitlement as determined by the first code for accessing a first function (180) providing full transaction rights access **[i.e., as shown in Figure 2a, step 20 is to look up, that is "to verify" pin 1, that is, "determined by a first code"];**

(3) authorizing access to the first function (180) if the first entitlement is recognized **[as shown in Figure 2a, step 20a found decision can include "authorizing access to the first function if the first code is recognized"];** and

(4) if the first entitlement is not recognized, using the code to verify a second entitlement as determined by a second code that is different from the first code, to trigger at least one second function (170) providing reduced or altered transaction rights without revealing the fact that the code does not make it possible to obtain the first entitlement **[i.e., receiving a second code comprising a plurality of characters in sequential positions obtained from an actual user;**

comparing the characters of the second code with the characters in corresponding positions of the first code to determine identity between the codes in all but one of the character positions (column 2, lines 46-51)];

(5) the method being characterized in that the step of verifying the second entitlement comprises the operations consisting in: obtaining a new code from the received code by means of a second transformation (140) that is the inverse of a first simple transformation that enables the holder of the first code to obtain the second code from the first code; and testing the new code by performing again the step of verifying the first entitlement **[i.e., receiving a first code comprising a plurality of characters in sequential positions identifying the authorized person; receiving a second code comprising a plurality of characters in sequential positions obtained from an actual user, the second code having more characters than the first code; comparing the characters of the second code with the characters of the first code to determine whether the second code contains a sequence of characters in the same order as the sequence in the first code (column 3, lines 15-21)];**

ii. However, Power does not explicitly mention:

(1) providing full transaction rights access and providing reduced or altered transaction rights.

iii. Whereas, Brown teaches:

(1) the service applications running on the various application servers initiate user-specific queries of the access rights database to obtain access rights lists of specific users. With each user-specific access rights query, the security server that receives the query accesses the access rights database and generates an access rights list which fully specifies the access rights of the user. This access rights list is returned to the application server that generated the query, and is stored within an access rights cache of the application server. The service which initiated the query can then rapidly determine the of access rights of the user with respect to specific content objects (as described below) by accessing its locally-stored copy of the user's access rights list. Because a user may be connected simultaneously

to multiple application servers of the on-line services network (when, for example, the user opens multiple services), the access rights list of a given user may be stored concurrently within the respective caches of multiple application servers. Furthermore, In accordance another feature of the invention, the access rights list of each user includes pairs of tokens and corresponding access rights values. Each token in the list identifies a content category to which the user has at least some access rights. For example, a token of "5" in the list indicates that the user has access to all content objects which fall within content category 5. Each access rights value in the list specifies the access rights of the user with respect to a corresponding content category. The access rights values are preferably in the form of privilege level masks which specify one or more general privilege levels (such as "viewer," "user," "host," "sysop," and "supersysop"). These general privilege levels are translated into specific sets of access capabilities by the on-line service applications. For example, the BBS service may give users with sysop-level privileges the capability to delete and rename BBS messages **(column3, lines 26-62).**

iv. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) include all or some access rights determined by the access rights list that generated from the access rights database (in Power) for controlling user access to data entities in a computer network **(column 2, lines 20-21 of Brown).**

v. The ordinary skilled person would have been motivated to:

(1) include all or some access rights determined by the access rights list that generated from the access rights database (in Power) due to the increasing popularity of on-line services networks, and with the increasing need for such networks to provide limited user access to the Internet, it has become increasingly important to be able to provide large numbers of users with controlled access to large numbers of content entities. In the network described in the above-referenced application, for example, it is contemplated that the number of subscribers may be in the millions, and that the number of content entities may be in the tens of thousands. To

provide flexibility, it is also desirable to be able to individualize the access rights of users **(column 1, lines 57-67 of Brown).**

b. *Referring to claims 2 and 10:*

i. Powers teaches:

(1) characterized by the fact that said first simple transformation is performed by a unit shift of one character of the first code **[i.e., a user will be instructed to deliberately alter one character in his personal identification number before he uses it (column 3, lines 48-50)].**

c. *Referring to claim 3:*

i. Powers teaches:

(1) characterized by the fact that the steps consists in verifying the first and second entitlements make use of digitally-recorded user profile **[i.e., as shown in Figure 1, in the memory 10 there is stored a databank having a plurality of files, bach file being identifiable by data derived from the credit card, that is "digitally-recorded user profile", and containing permitted user data including a personal identification number and additional user data such as the permitted user's address, telephone number, age, date of birth etc (column 5, lines 36-41)].**

d. *Referring to claims 4 and 12:*

i. Powers teaches:

(1) characterized by the fact that the second function (170) consists in displaying a message selected randomly from a plurality of messages stating that access to the first function (180) is not possible, without specifying that the code is not the right code for obtaining the first entitlement **[i.e., as shown in Figure 2a, at step 21, the length of the PIN (PIN 2) offered by the user is compared with the authentic PIN (PIN 1) and if the number of characters is not the same the transaction is rejected, wherein the displaying a message is inherently provided. (column 5, lines 59-62)].**

e. *Referring to claim 5:*

i. Powers teaches:

(1) characterized by the fact that the first function (180) is a bank transaction **[i.e., in step 20 data is derived from a credit card offered for use via the magnetic stripe reader 2, that is, "a bank transaction", and is passed to the controller 8 to cause the PIN (PIN 1) associated with the permitted user of that credit card to be located (column 5, lines 51-55)].**

f. *Referring to claims 6 and 14:*

i. Powers teaches:

(1) characterized by the fact that it further comprises a disabling step (200) if the step that consists in verifying whether the first entitlement has been tested more than a determined number of times without success **[i.e., if a sequence of characters has been located in the second code (PIN2) corresponding to the first code (PIN1) the computer system then checks at step 228 to see whether or not that version of the personal identification number has already been used within a predetermined time period. If it has been used then the transaction is rejected (column 7, lines 5-9)].**

g. *Referring to claim 11:*

i. Powers teaches:

(1) characterized by the fact that it is used for making a banking transaction secure **[i.e., as one example of "banking transaction secure", the retailer then enters the version of the personal identification number offered by the customer into the computer system and awaits an authentication or invalid signal. Alternatively, the customer enters the number himself. If the version of the personal identification number which has been offered differs from the correct personal identification number according to a predetermined corruption algorithm and if that version of the personal identification number has not already been used within a predetermined time period the computer system will indicate that the user is authenticated. In other circumstances the computer system will produce a transaction invalid signal and this will prompt the retailer to ask further questions of the customer concerning personal details relating to the permitted user of the card (column 5, lines 15-28)].**

h. *Referring to claim 13:*

i. This claim has limitations that is similar to those of claim 5, thus it is rejected with the same rationale applied against claim 5 above.

3. Claims 7-8 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powers, and further in view of Brown and Lichty (US 4, 774,500).

a. *Referring to claims 7 and 8:*

i. Powers and Brown teache the claimed subject matter except for:

(1) characterized by the fact that the steps consisting in verifying the first and second entitlements make use of a microprocessor card (10) .

(2) characterized by the fact that the second simple transformation (140) is itself a function of parameters that are accessible on the microprocessor card (10).

ii. Lichty teaches:

(1) when the microprocessor cards are issued to individual users, a validation procedure is executed on a validating terminal. The procedure generally requires the issuer to enter the correct manufacturers' assigned key number in order to confirm that the card is authorized. A PIN is then assigned to or selected by the cardholder and stored in the secret zone. Upon completion of the validation procedure, the card MPU irreversibly alters its program so that the words written in the secret memory zone cannot be altered. Thereafter, upon using the card, a user must enter the correct PIN in order to confirm that the card is being used by its authorized user **(column 6, lines 65-68 through column 7, lines 1-9).**

(2) a useful development in account cards has been to incorporate a magnetic, semiconductor, or optically written memory for storing account information, current balances, or other user information in the card itself **(column 1, 26-29).**

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) apply such microprocessor card in Power's recited elements because such memory cards allow the user to access distributed terminals for off-line transactions, by reading and/or updating the stored information, without needing to have the transaction validated through a central system **(column 1, lines 30-34 of Lichty).**

iv. The ordinary skilled person would have been motivated to:

(1) include such microprocessor card in Power's recited elements since account cards having on-board memories can be made secure against data tampering by using a storage medium which is non-erasable, i.e. data is written once on the card and cannot be erased or changed **(column 1, lines 39-42 of Lichty).**

b. *Referring to claims 15 and 16:*

i. These claims have limitations that is similar to those of claims 7 and 8, thus it is rejected with the same rationale applied against claims 7 and 8 above.

Response to Argument

4. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection. The applicant's argument directs toward to new amended independent claims 1 and 9; therefore, response to argument is not necessary.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date

of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 703-305-0327.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax and phone numbers for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

TC 2100 will be moved to Carlyle in October 2004, the new telephone number for TC 2100 receptionist is 571-272-2100. In October 2004, any inquiry concerning this communication should be directed to Thanhnga (Tanya) Truong whose new telephone number is 571-272-3858, and the examiner's supervisor, Kim Vu can be reached at 571-272-3859.

TBT
October 18, 2004

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100